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In re Application of
Jorg Rosenberg et al.
Application No. 09/787,079
Filed: March 7, 2001
Attorney Docket No. 0480/001216

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition filed December 8, 2005 (via facsimile transmission) under 37 CFR 1.137 (b) to revive the above-identified application.

The petition is **GRANTED**.

In response to a Final Office Action mailed July 23, 2004, a Notice of Appeal was filed January 24, 2005 (certificate of mail date) with a three month extension of time request. The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed January 24, 2005, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the-above-identified application became abandoned on March 25, 2005. See MPEP 1215.04.

Accordingly, a Notice of Abandonment was mailed September 8, 2005.

Petitioner has submitted a Request for Continued Examination (RCE) and an amendment as the submission required under 37 CFR 1.114.

The fees for the petition to revive (\$1500.00) and the RCE (\$790.00) have been applied.

The request for continued examination (RCE) of this application under 37 CFR 1.114 is being forwarded to Technology Center 1732 for processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
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Office of Petitions